

**515.120 Business with nonadmitted insurers.**

This chapter does not prevent a licensed resident or nonresident producer of this state, qualified to write excess and surplus lines insurance, from procuring insurance in certain nonadmitted insurers if such insurance is restricted to the type and kind of insurance authorized by this chapter, excluding insurance authorized under section 515.48, subsection 5, paragraph “a”, and the producer makes oath to the commissioner of insurance in the form prescribed by the commissioner that the producer has made diligent effort to place the insurance in authorized insurers and has either exhausted the capacity of all authorized insurers or has been unable to obtain the desired insurance in insurers licensed to transact business in this state. The procuring of a contract of insurance in a nonadmitted insurer makes the insurer liable for, and the producer shall pay, the taxes on the premiums as if the insurer were duly authorized to transact business in the state. A sworn report of all business transacted by producers of this state in nonadmitted insurers shall be made to the commissioner of insurance on or before March 1 of each year for the preceding calendar year, on the form required by the commissioner of insurance. The report shall be accompanied by a remittance to cover the taxes on the premiums. A producer who makes the oath, pays the taxes on the premiums, and files the report has not written such contracts of insurance unlawfully, and is not personally liable for the contracts.

[C66, 71, 73, 75, 77, 79, 81, §515.147]

90 Acts, ch 1234, §41; 93 Acts, ch 88, §19; 2007 Acts, ch 152, §48

CS2007, §515.120

2008 Acts, ch 1074, §6

[SP] Former §515.120 transferred to §515.150; 2007 Acts, ch 152, §31